

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

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EUGENIA SPENCER,

05 CIV 4701 (NG)

Plaintiff,

-against-


THE DEPARTMENT OF EDUCATION OF THE CITY  
OF NEW YORK, UNITED FEDERATION OF  
TEACHERS, ILYSSA MANDELL, in her  
individual capacity, JAMES E. PHILEMY,  
in his individual capacity,

Defendants.

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**NOTICE OF VOLUNTARY DISMISSAL**

PLEASE TAKE NOTICE that Plaintiff, by her undersigned counsel,  
dismisses without prejudice the above-captioned action, pursuant to  
Rule 41(a) of the Federal Rules of Civil Procedure.

  
LAW OFFICES OF DAN CHERNER  
350 Broadway Suite 1204  
New York, New York 10013  
(212) 343-3211

Dated: January 16, 2006  
New York, New York